

SOLICITOR

AO 120 (Rev. 3/04)

T O	Commissioner of Trademarks P.O. Box 1451 Alexandria, VA 22313-1451 ATTN: TTAB	MAY 26 2010 U.S. PATENT & TRADEMARK OFFICE	REPORT ON THE
			FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
filed in the U.S. District Court Southern District of New York on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 10 cv 4140	DATE FILED 5/19/10	U.S. DISTRICT COURT 500 Pearl Street New York, NY 10007
PLAINTIFF Medicis Pharmaceutical Corporation		DEFENDANT Nycomed U.S. Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,765,001		see enclosed documents
2 7,217,422		
3 7,220,424		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT



05-24-2010

U.S. Patent & TMOff/TM Mail Rpt. 01, #01

CLERK Ruby J. Krajick	(BY) DEPUTY CLERK 	DATE 5/19/2010
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US0006765001B2

(12) **United States Patent**
Gans et al.

(10) Patent No.: **US 6,765,001 B2**
(45) Date of Patent: **Jul. 20, 2004**

(54) **COMPOSITIONS AND METHODS FOR
ENHANCING CORTICOSTEROID
DELIVERY**

4,017,615 A 4/1977 Shastri
6,075,056 A 6/2000 Quelley
6,300,326 B1 10/2001 Dobbs

(75) Inventors: Eugene H. Gans, Westport, CT (US);
Mitchell S. Wertzman, Scottsdale, AZ
(US)

(73) Assignee: Medics Pharmaceutical Corporation,
Scottsdale, AZ (US)

(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 0 days.

(21) Appl. No.: 10/037,360

(22) Filed: Dec. 21, 2001

(65) Prior Publication Data

US 2003/0130247 A1 Jul. 10, 2003

(51) Int. Cl.⁷ A61K 31/58; A61K 31/56;
A61K 47/00; A61K 9/00

(52) U.S. Cl. 514/172; 514/169; 514/170;
514/180; 514/177; 514/178; 514/179; 514/769;
514/785; 424/400

(58) Field of Search 514/169, 170,
514/172, 177-180, 769, 785; 424/400

(56) References Cited

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Mori, et al. "Topical Corticosteroids and Unwanted Local
Effects," Drug Safety, 10 (5) 1994, p. 406-412.

Schaefer-Korting, et al. "Topical Glucocorticoids with
Improved Risk-Benefit Ratio," Drug Safety Jun. 1996; 14
(6), p. 375-385.

Dermatology in General Medicine, 5th ed. CD-ROM, 1999,
Chapter 243, p. 1-10, Tables 243-1 and 243-3.

* cited by examiner

Primary Examiner—Shengjun Wang

(74) Attorney, Agent, or Firm—William J. McNichol, Jr.;
Maryellen Feebery; Reed Smith LLP

(57) **ABSTRACT**

The present invention comprises a composition, method of
enhancing potency and method of delivering corticosteroids
in a vehicle comprising at least two penetration enhancers,
and solvents and emulsifiers. The propylene glycol and
penetration enhancers are present in ratio to the total of the
propylene glycol, penetration enhancers, and solvents and
emulsifiers of at least about 0.70.

17 Claims, No Drawings



US007217422B2

(12) **United States Patent**
Gans et al.

(10) Patent No.: **US 7,217,422 B2**
(45) Date of Patent: **May 15, 2007**

(54) **COMPOSITIONS AND METHODS FOR
ENHANCING CORTICOSTEROID
DELIVERY**

(58) **Field of Classification Search** 514/189,
514/170, 172, 177-180, 171, 69-180; 424/400,
424/401

See application file for complete search history.

(75) **Inventors:** Eugene H. Gans, Westport, CT (US);
Mitchell S. Wortzman, Scottsdale, AZ
(US)

(56) **References Cited**

U.S. PATENT DOCUMENTS

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Bennett et al., "Optimization of bioavailability of topical steroids: non-occluded penetration enhancers under thermodynamic control", *Journal of Pharmacy and Pharmacology*, vol. 37, No. 5, 1985, pp. 298-304.

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(*) **Notice:** Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 382 days.

(21) **Appl. No.:** 10/407,354

(22) **Filed:** Apr. 4, 2003

(65) **Prior Publication Data**

US 2003/0186951 A1 Oct. 2, 2003

Related U.S. Application Data

(62) **Division of application No. 10/037,360, filed on Dec.**
21, 2001, now Pat. No. 6,765,001.

(51) **Int. Cl.**
A61K 31/56 (2006.01)

A61K 47/44 (2006.01)

(52) **U.S. Cl.** 424/400; 514/171; 514/180;
514/169

(57) **ABSTRACT**

The present invention comprises a composition, method of enhancing potency and method of delivering corticosteroids in a vehicle comprising at least two penetration enhancers, and solvents and emulsifiers. The propylene glycol and penetration enhancers are present in ratio to the total of the propylene glycol, penetration enhancers, and solvents and emulsifiers of at least about 0.70.

16 Claims, No Drawings



(12) **United States Patent**
Gans et al.

(10) Patent No.: **US 7,220,424 B2**
(45) Date of Patent: **May 22, 2007**

(54) **COMPOSITIONS AND METHODS FOR
ENHANCING CORTICOSTEROID
DELIVERY**

(75) Inventors: Eugene H. Gans, Westport, CT (US);
Mitchell S. Wortzman, Scottsdale, AZ
(US)

(73) Assignee: Medics Pharmaceutical Corporation,
Scottsdale, AZ (US)

(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 382 days.

(21) Appl. No.: 10/407,380

(22) Filed: Apr. 4, 2003

(65) Prior Publication Data

US 2003/0176408 A1 Sep. 18, 2003

Related U.S. Application Data

(62) Division of application No. 10/037,360, filed on Dec.
21, 2001, Ser. No. 2765,001

(58) Field of Classification Search 514/169,
514/170, 171, 172, 177-180; 424/400-401
See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS
3,934,013 A * 1/1976 Paulsen 514/170

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EP 0 820 794 A 1/1981
WO 91/08733 A 6/1991

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Physicians' Desk Reference, 51 Edition, pp. 2299-2300, for
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non-occluded penetration enhancers under thermodynamic con-
trol", Journal of Pharmacy and Pharmacology, vol. 37, No. 5, 1985,
pp. 298-304.

* cited by examiner

Primary Examiner—San-Ming Hui
(74) Attorney, Agent, or Firm—William J. McNichol, Jr.;
Maryellen Peetery Hank; Reed Smith LLP

(57) **ABSTRACT**

The present invention comprises a composition, method of
enhancing potency and method of delivering corticosteroids
to a site of action or faster than penetration enhancers.